

### **DETAILED ACTION**

1. This action is in response to applicant's communication filed 11 November 2008. **Claims 58-104** are now pending in the present application and **claims 1-57** are canceled.

### ***Information Disclosure Statement***

2. The information disclosure statement (IDS) submitted on
  - a. 28 January 2009is in compliance with the provisions of 37 CFR 1.97 and is being considered by the examiner.

### ***Election/Restrictions***

3. The amendment filed on 16 June 2008 canceling all claims drawn to the elected invention and presenting only claims drawn to a non-elected invention is non-responsive (MPEP § 821.03). The remaining claims are not readable on the elected invention because
  - a. **Claims 58-102** - the system, access node, method, and computer program product, as a whole -

A system for distributed packet-based paging...

where each PRD module determines paging requirements to send to a PRC module in communication with an intended end node of a page, the paging requirements being determined at least in part (i) from analyzing at least one of a header field and payload field, using a packet classification technique, from a data message received over a

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corresponding access link and (ii) from stored information uniquely associated with the access node in which the PRD module resides, and

where each PRC module provides PRC functionality in accordance with the paging requirements received from the PRD module... .

b. **Claims 103-104** - the end node and method, as a whole -

An end node for use in a system with distributed packet-based paging...

where each PRD module determines paging requirements to send to a PRC module currently in communication with the intended end node of the page, the paging requirements being derived at least in part (i) from analyzing at least one of a header field and payload field, using a packet classification technique, from a data message received over a corresponding access link and (ii) from stored information uniquely associated with the access node in which the PRD module resides, and each PRC module provides PRC functionality in accordance with paging requirements received from the PRD module, where the PRC functionality includes controlling at least one of (i) paging resources, (ii) paging operations, and (iii) the generation of pages to an intended end node,

the end node comprising:

means for taking a first action when receiving a first page from a first access node having a first PRC module, where the first PRC module generates the first page to the end node on the basis of a data message received by a first PRD module; and

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means for taking a second action when receiving a second page, different from the first page, from a second access node having a second PRC module, where the second PRC module generates the second page on the basis of the same data message received by a second PRD module.

Regarding new claims 58-104, the claims 58-104 are based on the above items 2a-b and are distinctly different and not readable on the elected invention of claims 1-57. In addition, the items 2a-b were not required in the previously examined claims. Applicant has canceled claims 1-57.

Since the above-mentioned amendment appears to be a *bona fide* attempt to reply, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS, whichever is longer, from the mailing date of this notice within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD UNDER 37 CFR 1.136(a) ARE AVAILABLE.

4. This list of examples is not intended to be exhaustive.

***Response to Arguments***

5. Applicant's arguments filed 11 November 2008 have been fully considered but they are not persuasive.

The Examiner respectfully disagrees with applicant's arguments and to further clarify (see the above and comments in this section).

6. Regarding applicant's argument on pg. 15, 2<sup>nd</sup> full par., "...found no clear and detailed record...", the Examiner respectfully disagrees. As indicated in *item 3* above (also, see office action mailed 07 October 2008), the claims (e.g., claim feature(s)) are drawn to a non-elected invention as repeated in *item 3* above that at the least result in a distinct and independent invention from the elected invention.

***Conclusion***

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to WILLIE J. DANIEL JR whose telephone number is (571)272-7907. The examiner can normally be reached on 8:30-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Appiah can be reached on (571) 272-7904. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information

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/WJD,Jr/

WJD,Jr  
28 January 2009

/Charles N. Appiah/  
Supervisory Patent Examiner, Art Unit 2617